

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID STACK,

Plaintiff,

-against-

NEW YORK CITY and NEW YORK POLICE  
DEPARTMENT, *et al.*,

Defendants.

23-CV-7018 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated March 13, 2024, the Court directed Plaintiff, within thirty days, to provide the court with an updated address. That order, which was mailed to Plaintiff's last known address, specified that failure to comply would result in dismissal of the complaint. On April 19, 2024, that order was returned to the court with the following notations, "Return to Sender, Not Deliverable as Addressed, Unable to Forward." Plaintiff has not notified the court of a change of mailing address and has not initiated any further contact with the court, written or otherwise. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

**CONCLUSION**

Plaintiff's complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment.

SO ORDERED.

Dated: April 25, 2024  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge